

GOVERNMENT OF TELANGANA

ABSTRACT

PUBLIC SERVICES – Commercial Taxes Department - Departmental Proceedings initiated against Sri K.V.Ramakrishna Rao, Appellate Deputy Commissioner (CT), Warangal under rule 20 of APCS (CC&A) Rules, 1991 – Charges issued – Written Statement of Defense submitted – Inquiry conducted – Further action dropped – Orders – Issued.

REVENUE (VIG.II) DEPARTMENT

G.O.Rt.No. 59.

Dated. 05.02.2015.

Read the following:-

1. From the CCT, AP, Hyd., Lr.Ref.V1/910/2009, dt:26.10.2009.
2. G.O.Rt.No.530, Rev.(Vig.I) Dept., dt:08.4.2010.
3. Representation of Sri K.V.Ramakrishna Rao, ADC, dt:16.7.2010.
4. G.O.Rt.No.1664, Rev.(Vig.I) Dept., dt:19.11.2013.
5. G.O.Rt.No.1665, Rev.(Vig.I) Dept., dt:19.11.2013.
6. From the Addl. Commr.(CT) Legal, O/o CCT, AP, Hyd., Lr.Ref.No.L.III (Peshi)/259/2013, dt:20.5.2014.

O R D E R:

Whereas, it has been brought to the notice of the Government by the Commissioner of Commercial Taxes, Hyderabad vide reference 1st read above that Sri K.V.Ramakrishna Rao, while working as Appellate Deputy Commissioner (CT), Warangal has shown gross negligence to his duties. Accordingly, Government have initiated Departmental Proceedings against Sri K.V.Ramakrishna Rao, Appellate Deputy Commissioner (CT), Warangal along with others and framed following four charges against him vide reference 2nd read above.

Charge –I :

"That while he was working as Appellate Deputy Commissioner (CT), Warangal during the period from 28.06.2008 to till date, disposed off the appeals under APVAT Act in the case of M/s Charbai Beedi Works without following due procedure of calling for the remarks of the Assessing Authority on the new grounds of appeal and without examining the assessment record. The Appellate Deputy Commissioner (CT), Warangal also ignored the fact that M/s Charbai Beedi Works did not file the proof of payment of tax by the selling dealers before the Assessing Authority at the time of original assessment. Therefore, the assessing authority passed orders levying purchase tax on M/s. Charbai Beedi Works. In such circumstances, the additional evidence gathered by the ADC regarding payment of tax by the sellers should have been referred to the Assessing Authority of M/s Charbai Beedi Works."

Charge –II :

"That during the aforesaid period and while functioning as ADC, Warangal he obtained verification reports from the CTOs and DCTOs on whose rolls the sellers of beedi leaves to M/s. Charbai Beedi Works are assesses, on his own without involving the Assessing Authority and allowed the appeals on the ground that the sellers are registered VAT dealers and paid VAT in the respective circles. But subsequent verifications revealed that the selling dealers were only TOT dealers as on the date of assessment of M/s. Charbai Beedi Works and did not pay VAT."

Charge –III:

"That during the aforesaid period and while functioning as ADC, Warangal he allowed the appeals on the turnovers relating to alleged inter state purchases by M/s Charbai Beedi Works merely on the basis of the invoices produced by the dealer without referring the invoices to the Assessing Authority for cross verification and also ascertaining whether there was inter-state movement of goods.

Charge – IV :

"That during the aforesaid period and while functioning as ADC, Warangal he has set aside the assessment order passed by the AC (CT) (LTU), Karimnagar in such manner as to help the dealer to escape from penalties and prosecution for which the dealer is liable to under the provisions of the APVAT Act for evasion of purchase tax on beedi leavers".

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2. In the reference 3rd read above Sri K.V.Ramakrishna Rao, Appellate Deputy Commissioner (CT), Warangal has submitted Written Statement of Defence to the Government and requested to drop further action in the matter. As the same is not convincing, Government have appointed the Addl. Commissioner (CT) (General), O/o CCT as Inquiry Officer vide reference 4th read above to inquire into the charges framed against the charged officer, and also appointed the Joint Commissioner (CT) (Enforcement), O/o CCT as Presenting Officer vide reference 5th read above to present the case before the Inquiry Authority.

3. In the reference 6th read above, the Inquiry Authority submitted enquiry report and held that all the four charges framed against the charged officer were not proved.

4. Government have examined the enquiry report and accepted the findings of the Inquiry Authority and decided to drop further action against Sri K.V.Ramakrishna Rao, formerly Appellate Deputy Commissioner, Warangal (now Retd.). Accordingly, Government hereby drop further action against Sri K.V.Ramakrishna Rao, formerly Appellate Deputy Commissioner, Warangal (now Retd.) in the case.

5. The Commissioner of Commercial Taxes, Telanagana State, Hyderabad shall take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**RAJESHWAR TIWARI
PRL. SECRETARY TO GOVERNMENT (FAC)**

To

Sri K.V.Ramakrishna Rao, formerly Appellate Deputy Commissioner, Warangal (now Retd.) **(through the Commissioner of Commercial Taxes, TS, Hyd.).**

The Commissioner of Commercial Taxes, Telangana State, Hyderabad

(with a request to serve the G.O. to the individual and send served copy with dated signature for record).

Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER